

# **EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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Kevin Beasley and Kevin Beasley  
Studio, LLC,

Plaintiffs,

Civil Action No.:  
3:24-cv-09172-MAS-RLS

-against-

Michael Fanelli,

Defendant.  
-----X

**Declaration of Process Server John McGuinness**

I, John McGuinness, state under penalty of perjury, pursuant to 28 U.S.C. §1746, as follows:

1. I am a professional process server in the State of New Jersey and have personal knowledge of the facts set forth herein.

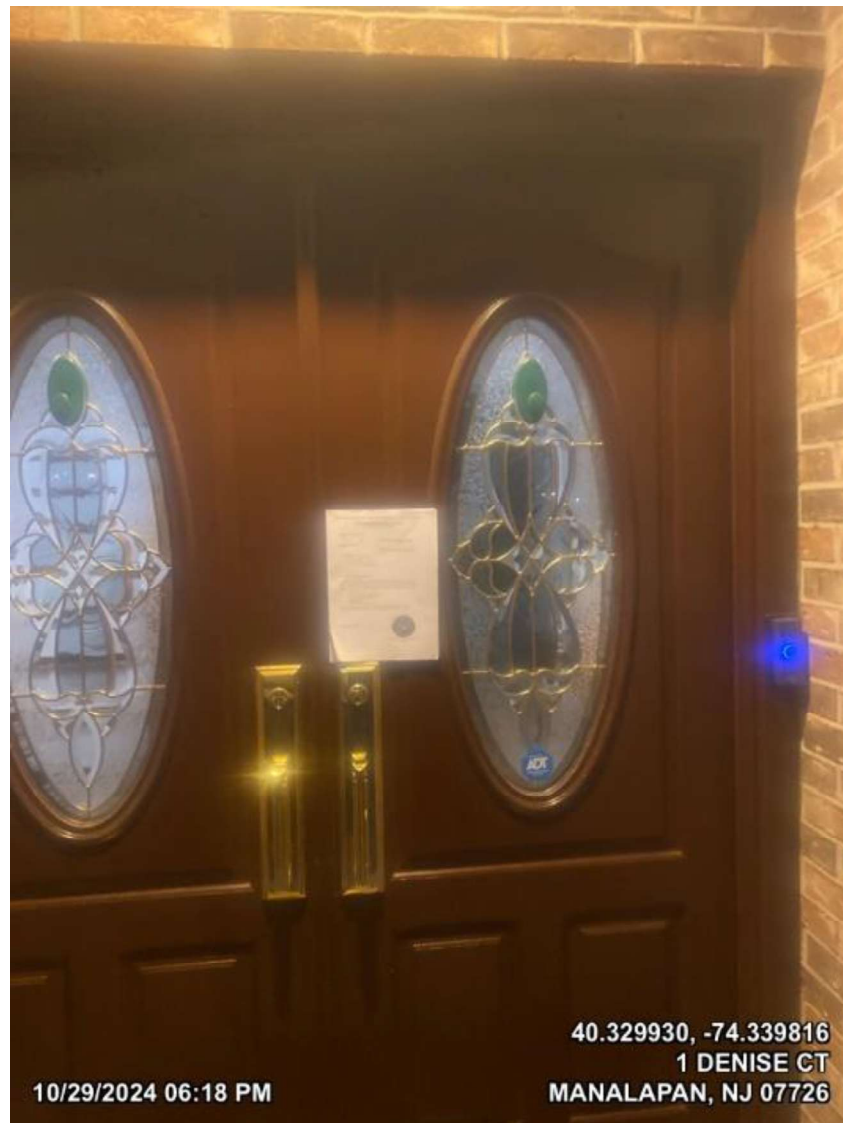
2. I understand that the defendant in this matter contends that he was not properly served with process in this matter because his son had told him that the summons and complaint, civil cover sheet and corporate disclosure statement were left in his driveway.

3. That is false.

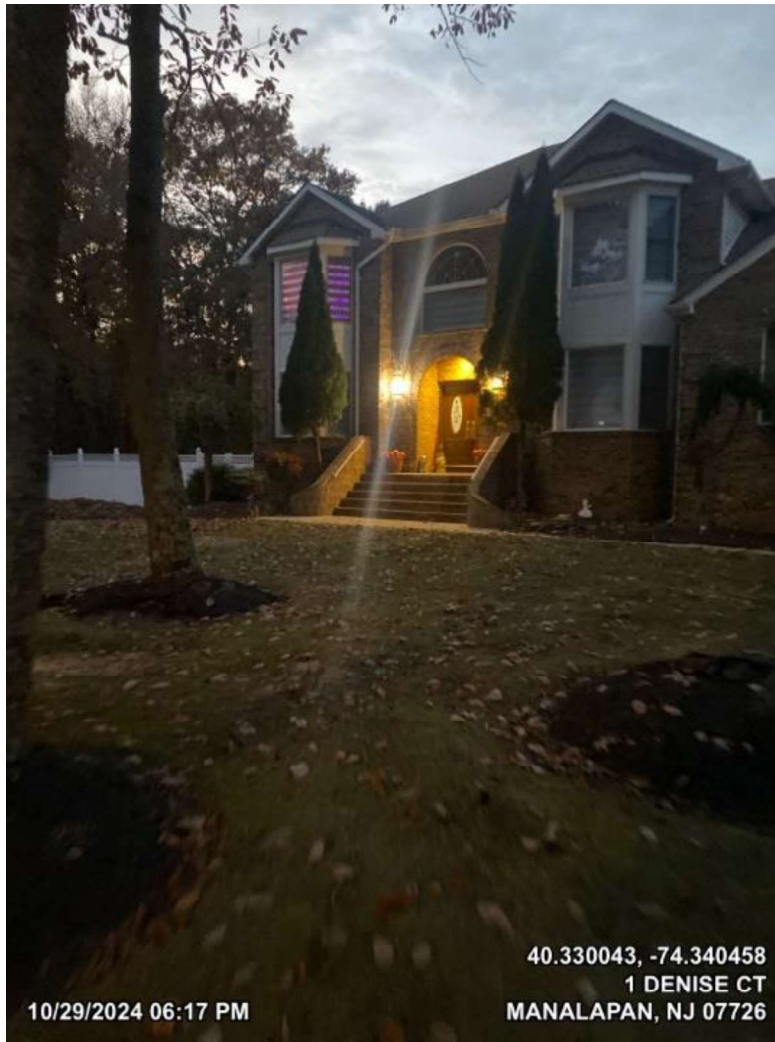
4. The truth is that the papers, not heavy in weight, were affixed by tape to the door of defendant Fanelli's home at 1 Denise Court in Manalapan, New Jersey, on October 29, 2024, at 6:18 pm. At the time, I memorialized such by taking a photograph of the papers affixed to the door of defendant's home, with a cellphone that captures the metadata, which shows the exact time and location where the photograph was taken.

5. Below is a true and accurate photograph showing defendant Fanelli's door, with the papers affixed thereto, and showing the address (and exact map coordinates), as well as the

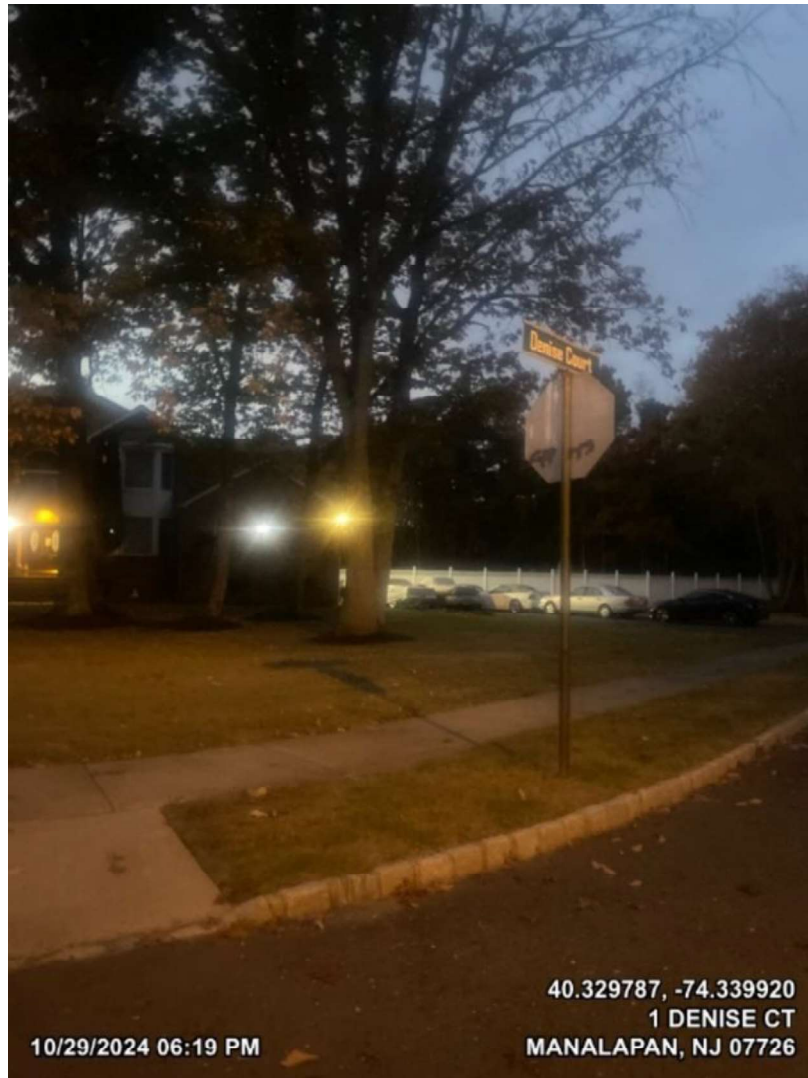
exact time that the photograph was taken. I trust that this will suffice to establish that the hearsay of Mr. Fanelli's son is false, and I will testify if called.



6. A photograph taken at 6:17 pm on October 29th also shows that there were lights on in the upper left floor of the house, as well as the front foyer, as the windows of the door are lit.



7. At the time, there were four cars parked in the driveway, as depicted in this photograph, also taken on October 29, 2024, at 6:19 pm, and I would so testify if called.



8. Additionally, I attempted service on October 22, 2024, by ringing the video doorbell depicted in the first photograph above, to the right of the door. As I indicated in my affidavit of service dated October 30, 2024, the person who answered the video doorbell became



irate and/or irritated when I informed him that I had come to serve papers and refused to open the door. At the time, there were four cars parked in the driveway, which are depicted in this photograph:

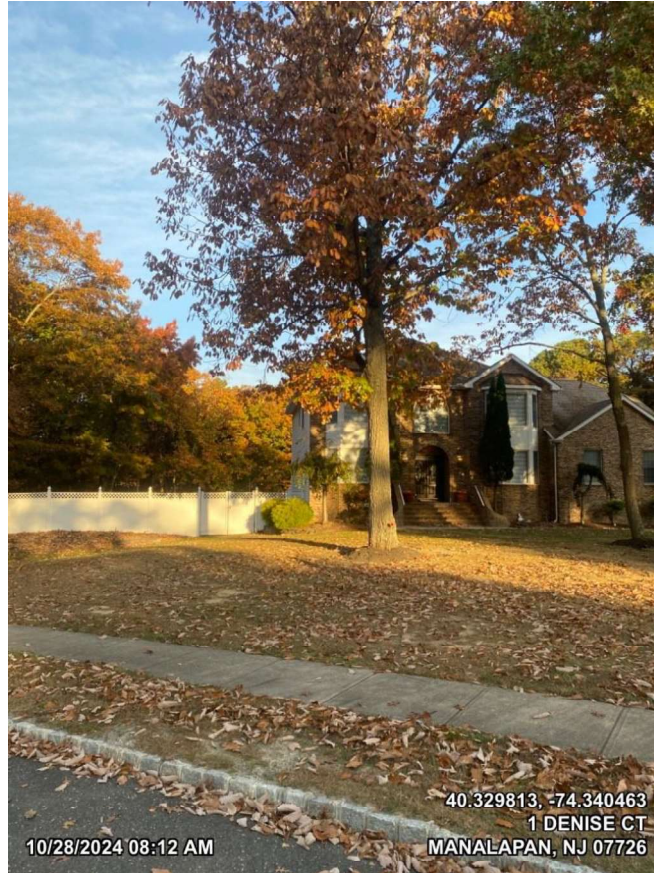


9. As I indicated in my affidavit of service, a landscaper confirmed that someone was in the home at that time, and a neighbor confirmed that Mr. Fanelli did reside there, which I understand he has acknowledged in his own affidavit, which is docketed as DE 14-2. (“On or

about October 29, 2024, my son found a document lying at the foot of the driveway **at my home** at 1 Denise Ct., Manalapan, New Jersey.”) (Emphasis added).

10. I also note that as I had affixed the papers to the door at about 6:18 pm, so it is odd, to say the least, that defendant’s son told him that he had “found” the papers at the foot of the driveway that evening. As I recall, the weather was quite pleasant, and, indeed, a weather history for Newark Airport for that date shows that the windspeed was below 9 mph, and was dropping from about 6:51 pm through midnight, when the windspeed ticked up to about 4 mph after dropping to zero, as shown in this link to the data from the [Newark Liberty International Airport Station for October 29, 2024](#). It does not seem possible, much less credible, that the papers could have blown to the foot of Mr. Fanelli’s driveway.

11. I also attempted service on October 28, 2024, but no one answered the door. The following is a photograph of the house, showing the date and time stamp, along with the address, which shows that I did indeed visit the premises on that date.



12. I hereby swear that the statements herein are true and to the best of my recollection, that the above photographs are true and accurate, and that if called, I would testify to the truth of the statements herein, as well as the statements in my affidavit of service dated October 30, 2024, which I understand is docketed as DE 6 in this matter.

Dated: January 24<sup>th</sup>, 2025  
State of New Jersey



John McGuinness